

## REMARKS

This paper is presented in response to the final official action dated March 4, 2009, wherein (a) claims 1-33 were pending, and (b) claims 1-33 were rejected under 35 U.S.C. § 112, 1<sup>st</sup> paragraph, as failing to comply with the enablement requirement.

To overcome the rejection, claims 1-33 are canceled and replaced by new claims 34-67. The \$52 fee for one additional claim in excess of 20 is submitted herewith.

This paper accompanies a request for continued examination (RCE). Entry and consideration of the amendments, and allowance of all claims 34-67, are solicited.

### ***Support for Amendments***

Claim 34 is based on original claim 1, wherein the following features are amended, added, or deleted. Any amendments are represented by underlining the corresponding features. Support in the description is referred to in *[brackets]* following the corresponding amended or added feature:

A method for processing graphic information present on mailpieces, whereby the graphic information on mailpieces *[see above]* is acquired, evaluated and stored, and whereby the acquired graphic information is used for physically sorting the mailpieces, the method comprising:

evaluating the stored *[p.6, lines 13-15]* graphic information of a first mailpiece *[p.4a, line 12]* as a Virtual Fine Sorting (virtual FS) *[p.5, lines 7-9]* according to one or more sorting features to obtain a first result comprising sorting features *[p.21, lines 21-23]* and storing the first result of the evaluation of the first mailpiece in a database, which comprises a positive file, a negative file and sorting information *[p.7, lines 11-20]*,

augmenting the database with additional sorting features based on the first result and augmenting the negative file as a function of the sorting feature *[p.8, lines 10-16; p.9, lines 12-17]*,

specifying a reference code for the first mailpiece from the first result *[p.21, lines 3-5]*, where the reference code is a function of the sorting features *[p.21, lines 3-8]*,

sorting the first mailpiece as a function of the reference code according to the sorting features *[p.21, lines 7 and 8]*, and

triggering a physical sorting of a second mailpiece based on the graphical information of the first mailpiece *[p.4a, lines 11-13]* and the additional sorting features of the augmented database *[p.8, lines 10-14; p.10, lines 2-10]*.

The limitation in claim 1 “storing surface video data contained in the graphic information” is deleted, as the preamble of claim 34 recites that the graphic information is stored and the surface video data are part of the graphic information as disclosed on page 6, lines 11-14.

The limitation “storing a statistical evaluation” is deleted from claim 34, because this limitation is merely preferred.

The limitation “ascertaining a second result of the evaluation and sorting a first mailpiece on the basis of the second result” is deleted, because this limitation is merely preferred and not essential; see page 10, line 30, to page 11, line 7.

The limitations of claim 9 are found in new claim 34.

In claim 62, the limitation “a reference code” previously found in claim 28 now is “a reference code as a function of sorting features” as disclosed on page 12, lines 7-9 and lines 13-14.

Furthermore the limitation “a first result of the evaluation” now reads “a first result of the evaluation comprising sorting features to physically sort the mailpieces according to the sorting features” in claim 62, as disclosed on page 21, lines 6-9 and 21-23.

The limitation “for determining a second result of the evaluation at least one device for performing the physical sorting of a second mailpiece is activated” is deleted in claim 62, because this limitation is merely preferred; see page 10, line 30 to page 11, line 7.

New claim 60 is supported at page 21, lines 3-6, and new claim 61 is supported at page 11, lines 2-7.

As outlined above, the amendments of the claims are supported by the description.

***Enablement Requirement - 35 U.S.C. 112, 1<sup>st</sup> paragraph***

The non-enablement rejection of claims 1-33, as prospectively applied to new claims 34-67, is respectfully but strongly traversed.

The limitation that the graphic information is obtained from a first mailpiece is added to new claim 34, pursuant to the examiner's remarks.

Furthermore, new 34 clearly recites that the database is augmented according to the information found on the first mailpiece, because the first result is derived from the first mailpiece, the first result comprises sorting features, the first result is stored in the database, and the database is augmented by additional sorting features of the first result. These sorting features are part of the reference code, which is used to sort the first mailpiece. Therefore, claim 34 clearly recites, for those having ordinary skill in the art, where the information is determined, how the information is determined, where the information is stored, and how the information is further processed in order to sort the mailpieces and how to apply the updated database in order to sort further mailpieces.


Thus, it is submitted that claim 34 clearly complies with the enablement requirement. Claim 62 is the corresponding device claim and corresponds in pertinent part accordingly to claim 34, and therefore is similarly enabled.

In view thereof, reconsideration and withdrawal of the non-enablement rejection and prompt issuance of a notice of allowance are solicited, since the claims are free of the prior art.

Should the examiner wish to discuss the foregoing or any matter of form in an effort to advance this application toward allowance, she is urged to telephone the undersigned at the indicated number.

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Respectfully submitted,

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